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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
IN RE THE APPLICATION OF:

Miller et al.

Grp. Art. Unit: 1724

Application No: 10/679,175

Examiner: Pham, Minh Chau Thi

Filing Date: October 3, 2003

Date: December 9, 2005

SCREEN FILTER ASSEMBLY  
AND ENGINE USING SAME

Atty. Dkt. No: 03-308

RESPONSE TO OFFICE ACTION

In response to the Office Action dated September 9, 2005, please consider the following remarks. Reconsideration of the present application is respectfully requested.

Claims 1-14 stand rejected under 35 USC §102(b) over Mann. Applicants respectfully disagree since Mann fails to teach exactly what Applicants have claimed, and therefore can not support a proper rejection under §102 in accord with the mandates of the MPEP and relevant case law. Regarding claim 1, it specifically requires a center support with a filter head attachment and a bowl attachment adjacent an opposite ends. Despite the characterizations in the office action, Mann plainly and explicitly teaches a center support 68 with no attachment features whatsoever. See column 2, lines 14-17 where it is made clear that the Mann center support is clamped between a manifold 12 and base 32 by a plurality of bolts 42. Applicants' claims clearly require that the center support has attachment features, not merely located near something that the claim limitation could be read onto. But Mann does not even teach head or bowl attachment features. The feature 28 identified in the office action as a "head attachment" is identified in Mann as an internal concave surface, and the bowl 32 only includes an attachment feature "threaded bosses 43", column 1, line 62, for mating to bolts 42, which are clearly something other than the thing 68 identified as Mann's center support.

Applicants' claimed invention represents a patentable improvement over Mann since Applicants' claimed center support incorporates the fastening function of the Mann bolts into the center support itself. The MPEP, relevant case law, and the Board of Patent Appeals will not permit Mann to be so mischaracterized as to supposedly teach something it neither shows nor suggests. While it is true that a patent examiner can read claim language with extreme breadth, there is a limit that has been exceeded in this case. In other words, Applicants' claims can not be

I certify that this paper or fee was mailed with sufficient postage via first class mail on the 9th day of December, 2005 to the Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450; Name Printed : Carrie Stremming; Signature *Carrie Stremming*